

**THE MINUTES OF THE MEETING OF THE
DEVELOPMENT CONTROL AND REGULATORY PANEL**

HELD ON TUESDAY 20 MAY 2008

- Present:- Councillor M. Routledge (Chair)
Councillors B. Bates, Mrs. M. Baird,
Mrs. G. Bleasdale, Mrs. E.M. Connor,
R. Davison, A.J. Holmes, D.J. Taylor-Gooby
and C.Walker.
- Objectors: Mr. Maude, Mrs. Dixon, Mr. Massey
Councillor Grieg
- Applicants: Mr. Peters
Mr. & Mrs. Foster
- Agent: Mr. Winter
- Apologies: Councillors B. Quinn, Mrs. J. Maitland
and D. Milsom

1. **THE MINUTES OF THE LAST MEETING** held on 29 April 2008, a copy of which had been circulated to each Member, were confirmed.
2. **APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

2005/0971 TRIMDON FOUNDRY (WINGATE) - CHANGE OF USE FROM OPEN SPACE TO PRIVATE GARDEN (RETROSPECTIVE) AT LAND ADJACENT PARKLANDS, SCHOOL HOUSES, TRIMDON FOR MRS. L. FOSTER

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to the finish of the fence, re-siting of fence, time limits on works to be complete. The proposal was considered to be in accordance with the Statutory Development Plan and in particular, Policies 1 and 35 and the District of Easington Local Plan.

The Principal Planning Services Officer explained that Members had visited the site that day, were familiar with the location and setting and gave a detailed presentation on the main issues outlined in the report.

Since the report was prepared, further comments had been received from Trimdon Foundry Parish Council who wished to reaffirm their original objections and did not consider the amendment as acceptable. They continued to see the piece of land as having prominent amenity value which they would like to enhance and promote but were unable to do

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so with the fence in place. It had a major impact on the street scene and the site was of significant visual importance as an area of open space in the village.

They would like to register the land as a village green but on speaking to the County Council, understood that this was a long and very complicated process. The Parish Council had received a petition from residents in the area complaining about the fence and the effect it had on them. If approved, the proposal would be detrimental to many families in the village and benefit only one family. The Parish Council had placed a caution on the land in question with the Land Registry in order to secure the public future use and free access to cross the land. They were also continuing to pursue an objection to the County Council against the blocking of a Right of Way.

The Principal Planning Services Officer explained that an additional condition, if approved, should be attached relating to any potential future development on the site. Permission from the Council would have to be granted before any buildings were erected on the site.

Councillor Grieg explained that the fence was very contentious in the village and seventy people had signed the petition. The Parish Council had been changing Clerks and not been able to pursue it and the footpath was within the boundary of the fence. The fence was raised at the Parish Council meeting every month and they intended to try and enhance that part of the green. The Church was closing and there may need to be space for the memorial and this would be the ideal location. The Parish Council were trying to initiate the village green process and did not feel that this was suitable for an enclosed garden.

Mrs. Foster, the applicant, explained that prior to enclosing the garden, they had suffered from anti-social behaviour from youths throwing bottles and needles into the garden. She had approached the Parish Council to query who owned the land. They had explained that they did not own the land and informed her to approach the District Council. The District Council recommended that she contact the Land Registry and she had acted on the advice she had been given. She had lived in the village for forty one years and the path was on the outside of the fence. She had three children and when they were suffering from anti-social behaviour, they had pushed to purchase the land. They had agreed a price with Durham County Council for a small part that they owned but they could not find the owners of the majority of the land. She wanted her children to play safely and a lot of other children in the area came into the garden as this was a safe place for them to play. The youths did not cause a disturbance now and the anti-social behaviour had disappeared. The residents in the bungalows had been intimidated by the youths.

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Mrs. Foster explained that she had followed the guidelines in newspapers, put notices on the school board, approached the Church, put signs on the lamp posts and still no-one had come forward to claim the land. The Parish Council had not wanted to do anything to the land until they had enclosed it as their garden.

Mr. Foster explained that many of the elderly people walking by the fence got a lot of shelter from it on a windy day.

The Principal Planning Services Officer explained that with regard to the public right of way, Members had visited the site and had viewed the hardstanding in the garden area although it was not clear what it had been used for. Durham County Council had confirmed that there was no formal right of way across the land. This would be a private legal matter if the Parish Council wanted to dispute it.

A Member queried if the application was approved, would this stop the Parish Council from converting it to a village green. Councillor Grieg explained that the enclosure took half of the land and a village green would not be feasible if the application was granted.

Members queried the size of the land in question and plans were circulated showing the area in the application.

The majority of Members felt that the approval would set a precedent, it was unacceptable development of public open space and was detrimental to the general amenities of the village.

RESOLVED that the application be refused for the reasons outlined above.

2008/0081

MURTON (MURTON EAST)

1. TO ERECT A MANAGED BUSINESS CENTRE (B1 USE), WORKSPACE UNITS (B1, B2 AND B8) LIVE-WORK (OFFICE) UNITS (B1, C3) PLUS NEW ACCESS, PUBLIC OPEN SPACE AND LANDSCAPING WORKS. FULL PLANNING APPLICATION.

2. RESIDENTIAL DEVELOPMENT AND LIVE-WORK (RESIDENTIAL) UNITS PLUS NEW ACCESS AND CAR PARKING. OUTLINE PLANNING APPLICATION AT FORMER MURTON COLLIERY SITE, GREY STREET, MURTON FOR NETWORK SPACE

Consideration was given to the report of the Head of Planning and Building Control Services which recommended that Delegated Authority be given to the Head of Planning and Building Control Services to issue the Decision Notice on the receipt of satisfactory survey results relating to protected species, the receipt of satisfactory comments from the Highway Authority relating to financial contributions and the satisfactory conclusion on discussions relating to

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affordable housing, the development be approved subject to the following conditions:-

Outline Planning Application - standard outline conditions relating to details, surface water drainage details.

Detailed planning application - external materials, landscaping, surface water drainage, affordable housing, highway details and travel plan.

The application proposals were considered to comply with the development plan in relation to securing the regeneration of the former colliery site and the overriding aims and objectives of national, regional and local planning policies and guidance in terms of efficient use of previously developed land.

The Senior Planning Services Officer explained that Members had visited the site that day, were familiar with the location and setting, and gave a detailed presentation on the main issues outlined in the report.

The Senior Planning Services Officer explained that all the outstanding issues in the report had now been resolved. A Section 106 Agreement was no longer required and the 15% affordable housing was acceptable as the policy provided for variation.

Mr. Maude explained that residents were concerned about part of the proposals. He felt that the needs of the community had not been taken into consideration. Page fourteen of the report referred to the over provision of housing that already existed. Dunelm Developments were giving away a car to attract people to buy their houses. The 2001 Local Plan stated that the area in question should be left as amenity open space. There were currently vacant shops in the village with living space above them that were boarded up, he felt that there needed to be investment in what would work.

Mr. Maude explained that he felt that leisure facilities should have been considered. The Glebe Centre closed at 3.00 pm on a Friday and opened on a Monday morning, therefore, people from the village were unable to use the Gym over the weekend and felt that there should be more of those types of facilities. He referred to the Managed Business Centre and explained that Fairfield Park was adjacent to the units in close proximity of the development and he felt that consultation had been very poor. Addresses that had been listed on the District Council website were not yet built. He had been told that he was not in the consultation zone but he could see the development from his bedroom window.

Mr. Maude referred to the traffic lights that were to be installed and explained that people would use the estate as

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a short cut. When temporary traffic lights were in place there was queuing back to the A19. If there was an extra five hundred cars using the junction that would exacerbate the problem and people would use the shortcut through the estate where children were playing.

The management of the facility and the hours of operation were also a concern. Litter from the factories in Cold Hesleden Industrial Estate often blew up through the village and he was concerned that this would happen here. He added that he had a hand out for Members which listed all of the objections in more detail. He felt that the existing village should be developed. He had only lived in Murton for a couple of years and felt that they did not need more units to work in and more leisure needed to be provided.

He referred to the over provision of houses and a District of Easington Memorandum from the Regeneration Officer which stated that she had concerns on the Jamies Tiles development regarding the traffic impact on the junction. The local MP had also commented that there was a valid point regarding the traffic.

Mrs. Dixon explained that she had huge concerns regarding the consultation process. She had lived in Fairfield Park for over a year and her house was one of the closest to the development. The Local Plan stated that this land should be used as open amenity space. She referred to the schools and explained that they were already to capacity. She was not sure if the Education Authority had been written to but when her son attended school in Murton it was full to capacity.

Mr. Massey explained that he was a School Teacher and he had seen the damage what oversubscribing to schools could do.

Mr. Peters explained that Network Space were Development Specialists in high quality workspace areas in the coalfield areas. They had developed twenty two schemes and over 700,000 square foot. All accommodation was retained and managed by Network Space and occupiers would be vetted. Eight of the schemes had been adjacent to residential areas and there had been no problems. The hours of operation would be controlled through planning conditions in order to preserve the amenity of local residents.

The workspace units were far removed from an industrial estate and were serviced offices of high quality which would be unique in Easington District. Most occupiers came from within a five mile radius and this would create over three hundred jobs and retain and attract local businesses.

The development was high quality housing and open space and would be integrated into the village. The workspace units would be completed before or at the same time as the

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initial phase of housing. Network space had over ninety percent of their units occupied.

With regard to the traffic lights, consultation had taken place with Durham County Council as Highway Authority and they had applauded the proposals to include traffic lights. Three crossings would be introduced which would provide safety for people crossing to the Glebe Centre. Network Space had made a substantial contribution to support a half hourly bus service to Durham. The workspace units would be built as offices and houses and would improve local opportunities and sustainability.

With regard to the consultation, there had been two public exhibitions and significant changes had been made to the scheme following the public comments.

Mr. Winter, the Agent, explained that the Regional Assembly were in agreement with the proposals. The application was in accordance with Regional, National and Local Plan Policy and the principle of development in the north end of the site had been approved as part of a previous application. In 2003, English Partnerships had put forward proposals for the Thomas Brothers site for mixed use. The open space was in accordance with the Local Plan which would enhance the open space area. A traffic assessment had been carried out in the context of other developments.

A Member queried if Network Space retained management of the workspace units. Mr. Peters explained that all the development they had created had been retained in their ownership for eight years. The open space would be created by them and then transferred to the Local Authority with a commuted sum for maintenance. After three years the subsidy to the buses would be withdrawn but they should be self sufficient.

A Member queried if any measures were to be installed in Fairfield Park to reduce the possibility of traffic using it as a shortcut. Mr. Peters explained that at the moment there was still building taking place on Fairfield Park but it was perceived by the residents that this would be used as a shortcut.

Mr. Maude asked if there were detailed numbers of the weight of traffic that would use the junction once all developments were complete. Mr. Peters explained that he could not give precise numbers but transport reports had been prepared and models used which examine traffic numbers and waiting times at junctions. The figures had been generated by traffic consultants and examined by Durham County Council's Highways Officer. A meeting had been held and all issues discussed including the perceived traffic relating to the film studio and the new link road.

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A Member raised concerns regarding the consultation process. Mr Peters explained that the initial public exhibition had been held over three days and the displays were left in the Glebe Centre for three weeks. Many representations had been made and concerns raised and all issues were dealt with. The second exhibition was held over two days and both exhibitions were well publicised on the local radio and the Sunderland Echo.

The Senior Planning Services Officer explained that the District Council did the usual consultation with advertisements in the newspapers, on site and also did a postal consultation with nearby residents. A number of roads were not on the system for Fairfield Park and he personally made a note of all the houses that were occupied and a further letter informing them of the development was distributed.

Mrs Dixon referred to temporary traffic lights and said she had seen a build up of traffic back to the A19. Mr Peters explained that the design of traffic lights would incorporate a right hand turn which would eliminate tail backs.

A Member referred to the over provision of housing and queried how many houses would eventually be on the site. The Senior Planning Services Officer explained that there would be 234 units which was 42 dwellings per hectare, in line with government guidelines.

A Member commented that he felt that there should be some provision to address the perceived problem with traffic cutting through Fairfield Park. The Senior Planning Services Officer explained that Fairfield Park was not within the control of the applicants.

The Principal Planning Services Officer explained that plans showed that there were some speed reduction measures in Fairfield Park but the Council could not request the applicant to provide any further measures as it was not within their control.

The Chair commented that this was one of the best developments he had seen in the area. This was to be a staged development which would not happen all at once.

A Member queried that although Fairfield Park was not in the applicant's control, would they approach Durham County Council and assist with controlling the traffic. Mr Peters explained that he would be willing to speak to Durham County Council when the roads were adopted to see what measures could be taken to prevent Fairfield Park being used as a shortcut.

RESOLVED that delegated authority be given to the Head of Planning and Building Control Services to issue the decision notice.

PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLOR MRS E M CONNOR DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING

2008/0176 HORDEN (HORDEN NORTH) – Residential Development at Land at Blackhills Road, Horden for Mr D Graham

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to materials, means of enclosure, landscaping, timing of landscaping, contaminated land survey, noise attenuation, hours of construction, revised access arrangement. The proposal was considered to be in accordance with the outline planning permission granted previously.

RESOLVED that the application be conditionally approved.

COUNCILLOR MRS E M CONNOR REJOINED THE MEETING

2008/0188 PETERLEE (PASSFIELD) – New Sports and Social Club Building (Amended Design) at Helford Road Sports Ground, Helford Road, Peterlee for Peterlee Town Council

Consideration was given to the report of the Head of Planning and Building Control Services which recommended approval subject to conditions relating to materials, hours of construction and landscaping. The proposal was considered to be in accordance with Policies 1, 90 and 92 of the District of Easington Local Plan.

RESOLVED that the application be conditionally approved.

2008/0224 WINGATE (WINGATE) – Relocation of Porch and Raising of Roof Line (Retrospective) at 65 – 66 North Road East, Wingate for Mr B Archibold

The Principal Planning Services Officer explained that the application had been withdrawn from the agenda to consider legal issues.

RESOLVED that application no 2008/0224 be deferred.

PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLOR R DAVISON DECLARED A PERSONAL AND PREJUDICIAL INTEREST AND LEFT THE MEETING

3 APPLICATION FOR S106 FUNDING – UPGRADING OF CHILDREN'S PLAY AREA AT OPEN SPACE ADJACENT RAVENSWORTH COURT, SOUTH HETTON

Consideration was given to the report of the Head of Planning and Building Control Services which considered a request from South Hetton Parish Council for £55,000 from S106 funding to upgrade the children's play area at the open space adjacent Ravensworth Court.

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RESOLVED that £55,000 be released from the S106 Agreement funding for the shortfall and the budget for the children's play area improvements at the land adjacent Ravensworth Terrace.

JC/CB/MA/com dev/080502
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